

A Letter from Glenn Terrell

May 22, 1970

RESPONSE IS MADE TO ELEVEN DEMANDS BY REPRESENTATIVES OF THIRD WORLD ORGANIZATIONS

This is a response to the "musts" which were brought to my attention on Monday, May 18. This document has been developed in consultation with the Faculty Executive Committee, the Educational Policies Committee, and the Advisory Committee of the University Council and the Student Senate.

First, let me say that I agree fully that we must wage a relentless struggle against racial discrimination in American society generally and on the campuses of our colleges and universities. I fail to understand the implication in the preamble to the list of "musts" that the University has taken no steps to improve conditions for the minorities. The record speaks for itself: The Social Responsibility and the Human Relations Committees were established, with instructions to develop programs designed to attend to the needs of the minority groups on campus. Two programs growing out of the work of these Committees, the Experimental Education Program and the American Minorities Studies Program, have had a significant impact on the University. The Black Studies Program has been of immense significance to the black students as well as the whites on this campus. Programs in Chicano Studies and Native American Studies are in the process of being developed, the former having been recently approved by the Educational Policies Committee. The High School Equivalency Program is another example of the commitment of Washington State University to the alleviation of racial inequities. Many faculty, students, and staff have committed themselves to these programs. The Board of Regents has provided continuing support.

Much remains to be done to provide the proper atmosphere for members of all races at Washington State University. We must all rededicate ourselves continually to this difficult, compelling task.

With respect to the specific "musts"

detailed in the memo, I shall respond point by point:

1. *"Immediately disarm all campus police and ROTC and disavow the use of violence (for instance, National Guard, Highway Patrol, etc.) on campus to disrupt demonstrations."*

Several weeks ago, I asked Mr. Lauren Shelton, Vice President—Finance, to study the objectives of our campus security and, among other things, to give attention to the question of arms for our policemen. This seems to be a question of the *function* of campus security. So long as a campus security force exists for the purpose of making arrests when appropriate, it does not make sense to disarm them. No changes in the present policy will be made until the analysis underway has been completed. ROTC cadets are equipped with rifles, but they are essentially not armed since the firing mechanisms are removed.

Washington State University students have not employed violence in their response to campus, national, and international issues. Rather, on campus they have, for the most part, engaged in peaceful demonstrations and protest action, even when decisions have been counter to the wishes of some. Consequently, there has been no occasion for calling to the campus outside law enforcement agencies to protect life and property. I would do so only if absolutely necessary. I have stated repeatedly that I believe the members of this community have the capacity to resolve conflict without violence. So long as that is the case, there will be no occasion to bring outside help to the campus. You have my pledge to work tirelessly toward that end. After all, in the final analysis, campuses and all of society must learn to solve problems without guns or other lethal weapons. Let us all resolve to continue peaceful means of conflict resolution. Whether or not outside help is summoned is up

to the campus community. Actually, in the final analysis, the Governor of the State is the only person who can order the National Guard and the State Patrol to any campus.

2. *"Eliminate all plainclothes and undercover agents (including FBI), cease the compilation of faculty and student dossiers for the purpose of political blackmail, and prohibit University personnel from engaging in undercover work or gathering evidence for punitive actions."*

We know that the FBI functions autonomously, and their presence on campus is beyond the jurisdiction of the University.

I have checked with our campus security office, the Dean of Students, and other administration offices and find no evidence that dossiers on faculty and students are being developed or maintained for any political purpose. Nor is there evidence that university personnel are being used for undercover work. There is no undercover agent in the security department whose responsibility is to investigate cases of unlawful conduct. We do have one officer, normally in plain clothes, who collects facts bearing on cases of unlawful behavior. We prefer someone from our own campus security doing this to having the job done by outside police.

The recently approved statement on the Confidentiality of Student Records provides appropriate protection for all student records at Washington State University.

The University has agreements with local law enforcement agencies that we will normally be notified when outside police are on the campus for any reason. However, city and county police officers have the legal right to be on campus engaged in legitimate law enforcement activities without our prior knowledge.

3. "Establish a Review Board consisting of Third World people, 'elected by campus Third World organizations, to investigate all law enforcement actions involving Third World people, and political cases ('political' to be defined by the Review Board) both on and off campus.' The Review Board will work in conjunction with the Washington Board Against Discrimination and with the campus representative of the American Civil Liberties Union. At the very minimum this board shall have the power to publicize the results of its investigations. Its first task is the immediate investigation of Ralph Atkins' arson case."

The University has a Human Relations Committee charged with the responsibility for investigating cases in which minority group members are concerned. It is under the chairmanship of Professor Leonard Kirschner and has minority group membership. Although I believe the Human Relations Committee should be represented by Blacks, Chicanos, and Native Americans, I cannot accept the recommendation of a review board consisting of Third World people only "elected by campus Third World organizations, to investigate all law enforcement actions involving Third World people, and political cases ('political' to be defined by the Review Board) both on and off campus." To do so would set up special tribunals for special groups of people in our society which, if carried to extreme, would mean special courts and justice procedures for various groups with perhaps different standards of conduct. Additionally, there would be no reason why any special interest group could not request that special review boards be established exclusively for them.

Although our Human Relations Committee has not been as active as a group this year as they were last year (the first year of their existence), Professor Kirschner has been closely involved informally with Mr. Wendell Grey, another committee member, on cases which have arisen.

In summary, the suggestion that we establish a Review Board consisting of Third World people has served as a reminder that the Human Relations Committee should be expanded to include membership from all minority groups. This committee already has the responsibility for investigating cases involving minority group members which it believes it should examine.

The newly established Pullman area advisory council will also be of assistance to minority groups in the years ahead.

4. "Use its legal and financial resources as well as its influence to present a constitutional challenge before the courts to determine the right of Third World defendants to be tried in such a manner and in such a place as will ensure a fair trial and that they be tried and judged by their peers from the Third World."

Judicial power extends only to cases or controversies brought before a court of competent jurisdiction by litigants directly concerned with the matter in question. Those charged with offenses may make any relevant arguments deemed persuasive in defense of the charges against them, but those arguments can only be within the context of particular cases. Courts have no jurisdiction to make pronouncements on abstract philosophical matters.

The University is without authority to expend funds for the conduct of litigation on behalf of individuals, even if the matter of the "right of Third World defendants to be tried in such a manner and in such a place as will ensure a fair trial and that they be tried and judged by their peers from the Third World" were justiciable in the abstract.

If the matter were justiciable and the University had the legal authority to expend funds in the conduct of litigation on behalf of individuals, the University would not have standing to raise the issue because, as a legal matter, it would not be directly concerned from a legal standpoint with the outcome.

Our system of laws provides for representation of individuals charged with offenses through private legal counsel and, in appropriate cases, through a public defender or court-appointed attorney serving at public expense. Additionally, private organizations, such as the American Civil Liberties Union, have effectively championed rights of individuals charged with offenses.

The mission of the University is education and learning. Representation of individuals charged with offenses in courts is wholly outside the scope of this mission, and is an activity most effectively and appropriately undertaken by private attorneys and other private and public organizations.

The University is concerned about each of its students and has a particular concern when an individual student is charged with a criminal offense. In the past, efforts have been made to make special student counseling and other services available to local officials as possible al-

ternates to criminal action, and special efforts have been made to ensure that students are aware of the need for competent legal advice. University officials will continue to provide this kind of informal assistance to students when special needs arise.

5. "Immediately abolish the Disciplinary Board."

I am somewhat at a loss to understand why it is suggested that the Student Conduct Committee be abolished. Obviously, to abolish this committee is tantamount to saying that the University assumes no responsibility for the conduct of its students, even in those instances where the educational welfare of the institution is involved. The University has just completed a thorough review of its Student Conduct Code. It is of immense importance that the policies and procedures for student conduct must be regarded by the University as fair and that they should be reviewed continually. It is especially important that the relationship between university discipline and court action dealing with the same offense be carefully reviewed. University students should be adequately represented on the Student Conduct Committee.

In summary, despite the increasing trend of universities of calling on the courts for punitive action involving both students and faculty, we are not disposed to take the position that the University should give up its responsibility to make independent judgments about the behavior of faculty, staff, and students, including on some occasions their suitability to continue as members of the university community. We are also concerned about the effects on students and their future of referring all cases involving students to the courts. In some instances the welfare of the student will be better served by the University handling the case.

6. "Establish a Third World board elected by campus Third World organizations with which the Publications Board will be required to work in fighting racism on campus through student publications and in student publications."

I am asking Professor Kirschner to convene the Human Relations Committee to address itself to the questions associated with equality of life for all minorities in all facets of campus life. Obviously, student publications can do much to create an atmosphere on campus free of racism. There are other groups besides the Publications Board with whom the

Human Relations Committee will be asked to work more closely, e.g., the Residence Hall Association, the Student Senate, and the Associated Women Students.

7. *"Conduct a ten-day racism workshop which shall be mandatory for all faculty, staff, and administration members, to be given at the beginning of the fall semester, and conducted by faculty and students in Programs in American Minorities Studies."*

The Young Women's Christian Association and the Young Men's Christian Association have sponsored workshops on racism throughout the current academic year. They have been very effective, and I support their continuation. I shall urge faculty, students, and staff to attend but cannot make it mandatory. Additionally, the University will continue to support the excellent programs developed by faculty and students for bringing to the campus speakers, scholars, and performers from minority groups.

Plans will also be developed, with the assistance of members of minority groups, for holding a retreat on racial justice next Fall for members of the administrative staff and other interested persons.

8. *"Immediate hiring of three Third World admissions officers whose sole responsibility will be to accelerate recruiting of Third World students."*

Special efforts to recruit black students have been made at Washington State University for two years. Some of these have been recruited in the Experimental Educational Program, others as regular students. The admission of students in the Experimental Educational Program (not restricted to black students) has been limited primarily by the amount of funds available from federal, state, and university financial aid sources.

The Admissions Office is also currently seeking individuals from each of the three minority groups in our American Minorities Studies program to assist on a continuing basis in the recruitment of Black, Chicano, and Native American students.

9. *"Achieve a racial balance of Third World people proportional in their numbers in the U.S. population, among undergraduates and graduate students and on the faculty, staff and administration and the Board of Regents, within three years."*

Washington State University will continue to admit qualified students, undergraduate and graduate, to the extent that we can accommodate them, with special efforts being made to recruit minority students—Blacks, Chicanos, and Native Americans. Additionally, continuing efforts are being made to recruit faculty, staff, and administration from among minority groups. The competition for these individuals is unbelievably keen. We in all of higher education must make strong commitments to produce more minority faculty and staff. Faculty exchanges are in the process of being worked out with a Black college in an effort to alleviate the shortage of Black faculty without creating problems associated with "robbing" these institutions of their faculty members.

The recruitment of minority graduate students is especially important. Dean Nyman has for the past two years allocated funds for financial aid for minority graduate students. Washington State University has added several new Black administrative and staff persons in the past two years. We shall continue these efforts.

The membership of the Board of Regents is determined by the Governor of the State.

Although, implicit in our commitment to equal educational opportunity, we can anticipate in time achieving the ideal of proportional representation of minority students, faculty, and staff nationally among these segments of the University, it is not realistic for us to expect to achieve this goal in three years. Our location, the distribution of minorities in the population of the State of Washington, and the shortage of financial aid contribute significantly to this problem.

10. *"Not allow any repetition of the loss of key faculty members which now threatens the viability of the Black Studies Program. There must be active and energetic support of all programs in American Minorities Studies including a.) adequate budgetary support, b.) retention and expansion of Third World faculty, c.) provision of appropriate facilities."*

We have attempted to retain the three faculty members who are leaving the Black Studies Program this year. Two of them were offered positions in competition with other outside offers. In the case of the third person, the department and the administration would like very much to keep him, and an offer was

being developed when the person was pressed to accept another offer. In the case of the two who were given specific offers in competition with outside offers, the salary offered here was at least as much as the competitive offer. We wanted very much to keep all of them, but, of course, occasionally for a variety of reasons, faculty members decide to change institutions.

The commitment of the Washington State University administration, the Board of Regents, and the students to the Black Studies Program is strong. I know of the value of the program to the students, black and white. Students and administration have supported the program financially; we have both encouraged and supported departmental efforts to recruit faculty for the program, and we shall continue to do so.

11. *"Immediately remove all non-union grapes from campus."*

In consulting with Dr. Carey of the Compton Union Building and Mr. Poin-dexter of Housing and Food Service, I am told that no non-union grapes have been purchased since last Fall. We have agreed that we shall leave to the students the question of whether or not grapes will be served in the Compton Union Building and the food services in the future.

In closing I would issue a challenge to the groups issuing the "musts" and to the entire University Community. We must redouble our efforts to find solutions to problems of racial discrimination. We must use reason, dialogue, and appropriate action. Racial violence and racial inequities will not be solved by countering threats of violence. The University is not a place where solutions should be sought in an atmosphere of confrontation and threats. Our resources can be much better spent in seeking solutions through the application of intelligent search, dialogue, and peaceful action among members of a committed community.